

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. I further ask that there be a period for morning business for 1 hour, with the first 30 minutes under the control of Senator DASCHLE, and the next 30 minutes under the control of Senator LOTT.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. At the hour of 10 a.m., under the provisions of rule XXII, a cloture vote will occur on the Gorton substitute to the product liability bill. Following that vote, regardless of the outcome, I ask unanimous consent that a vote occur on adoption of the IRS conference report.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. I ask it be in order now to request the yeas and nays.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

PROGRAM

Mr. GRASSLEY. For the information of all Senators, when the Senate reconvenes on Thursday, a cloture vote will occur at 10 a.m. Immediately following that vote, a second vote will occur on the adoption of the IRS conference report.

Following those two back-to-back votes, it will be the leader's intention to begin the anti-agriculture sanctions legislation for India and Pakistan, hopefully under a brief time agreement. Following that legislation, it will be the leader's intention to begin the higher education bill under the consent agreement of June 25, 1998.

Therefore, several votes will occur during Thursday's session of the Senate, with the first two votes occurring back-to-back at 10 a.m.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURE PLACED ON THE CALENDAR—S. 2271

Mr. GRASSLEY. Mr. President, there is a bill at the desk due for its second reading.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (S. 2271) to simplify and expedite access to the Federal courts for injured parties whose rights and privileges, secured by the United States Constitution, have been de-

prived by final actions of Federal agencies, or other government officials or entities acting under color of State law, and for other purposes.

Mr. GRASSLEY. I object to further consideration at this time.

The PRESIDING OFFICER. The bill will be placed on the calendar.

Mr. GRASSLEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. GORTON. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order following the remarks of the Senator from Massachusetts, the Senator from Florida, and this Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Massachusetts is recognized.

MANAGED CARE

Mr. KENNEDY. Mr. President, the unholy alliance between the Republican leadership in Congress and the health insurance industry is working overtime to prevent enactment of meaningful patient protections to end the abuses of HMOs and managed care health plans. The tactics of the Republican leadership yesterday made that crystal clear—and continue the obstruction that has been taking place since the beginning of this Congress.

Yesterday, the Democratic leader, Senator DASCHLE, offered our Patients' Bill of Rights as an amendment to an appropriations bill, to address the worst abuses of managed care. The Republican leadership didn't want to debate our amendment in the Senate, because they know that they cannot sustain a position that protects insurance industry profits at the expense of patients.

So what did they do? They pulled down the important appropriations bill in order to avoid a vote on the Patient's Bill of Rights. Then they filed an immediate cloture petition on the Product Liability Bill, to avoid having to debate the Patient's Bill of Rights on that legislation. And I have no doubt that they will continue to engage in any other parliamentary maneuver they can devise—in an attempt to avoid debating and voting on the Patient's Bill of Rights. They are ready to impose a gag rule on the United States Senate, if that is necessary to prevent us from ending gag rules on the Nation's doctors.

It is long past time for Congress to act on the issue of reforming managed care. Individuals and families are in-

creasingly apprehensive about how they will be treated when they are sick. A survey last year found that an astonishing 80 percent of Americans believe that their quality of care is often compromised by their insurance plan to save money. And, too often, their belief is well-founded.

Our Patients' Bill of Rights will end abuses of HMOs and managed care plans across the country. Too often today, managed care is mis-managed care. Decisions on health care should be made by doctors and their patients, not by insurance industry accountants bent on protecting profits instead of patients.

For more than a year, the Republican leadership has been delaying action. I introduced patient protection legislation with Congressman JOHN DINGELL nearly a year and a half ago. Since that time, the President's non-partisan blue ribbon commission has recommended nearly identical protections. Under Senator DASCHLE's leadership, we have introduced the Patients' Bill of Rights legislation in both the House and Senate—and it is supported not only by Democrats but by Republicans as well.

More than 170 organizations have endorsed it. These groups represent tens of millions of patients, doctors, nurses, persons with disabilities or chronic illnesses, those in the mental health community, workers and families, consumers, small businesses, religious organizations, non-physician providers and many others.

Yet, despite this support and the obvious need for action, the Senate leadership continues to delay. The special interests that profit from the status quo have designed a campaign of misinformation to obscure the real issues and prevent action.

There is no mystery about what is going on. The Republican leadership's position is to protect the insurance industry instead of protecting patients. They know they can't do that in the light of day. So their strategy has been to work behind closed doors to kill the bill. Keep it bottled up in committee. Prevent any debate or vote by the full Senate.

Willis Gradison, the head of the Health Insurance Association of America, was asked in an interview published in the Rocky Mountain News to sum up their strategy. According to the article, Mr. Gradison replied "There's a lot to be said for 'Just say no.'" The author of the article goes on to report that

At a strategy session . . . called by a top aide to Senator DON NICKLES, Gradison advised Republicans to avoid taking public positions that could draw fire during the election campaign. Opponents will rely on Republican leaders in both chambers to keep managed care legislation bottled up in committee.

Instead of participating in a productive debate on how to give patients the protections they need, insurance companies and their allies in the business community have heeded the call of the